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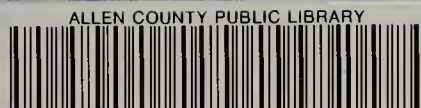
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# ADVENTURES

IN WESTERN NEW YORK HISTORY



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The

Holland Land

Company

in

Western New York

ROBERT W. SILSBY



BUFFALO AND ERIE COUNTY  
HISTORICAL SOCIETY

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VOLUME VIII



*Joseph Ellicott, 1760-1826.  
From 1820 oil portrait by A.G.D. Tuthill.*





## THE HOLLAND LAND COMPANY IN WESTERN NEW YORK

By Robert Silsby

**T**HE hopeful settler who traveled into the wilderness of Western New York during the early 1800's faced many problems and dangers which would have discouraged lesser men. Like most of the pioneers who chose to attack and subdue the unsettled West, he was full of courage and looking for a new way of life. Packing his most necessary household and farm goods and supplies into his covered wagon or even onto the back of his single ox, he headed westward. Behind him came his sons — driving a cow, a few sheep, and hogs. Often his wife and daughters trudged along on foot with a few precious treasures in packs on their backs.

Which route westward did the family take? Was it the Great Western Turnpike, which ran over the hills from Albany to Ithaca and Bath? Was it the Hudson-Mohawk and Seneca Turnpikes to Canandaigua, then on to Buffalo? They might even follow one of the ancient Indian trails. Whichever route the family had to take, it was through a forested wilderness they passed. Many farms were still covered with a mass of fallen trunks, branches of trees, piles of split logs and of squared timbers, planks and shingles. "... often in the midst of all this, could be detected a half-smothered log-hut without windows or furniture, but well stocked with people." Where fields were being cultivated, the tops of tree stumps stood surrounded by the young grain.

These were common sights as the pioneer family slowly made its way westward through the Genesee Country. They crossed the Genesee River at Avon then pushed through the wilderness to the frontier village of Batavia. Here the heavy wagon turned into the yard of Rowe's tavern, just across from the most imposing building in the village, the office of the Holland Land Company.

During a visit to the land office, the family learned which areas were best for settlement and what the terms of purchase were to be. Once located on the land, it would be necessary to visit the land office again to complete the deal and to sign the papers. During the early 1800's, hundreds of families purchased property from this company which owned most of the land west of the Genesee River.

The large holdings of the Holland Land Company in Western New York had a varied history of ownership. In early colonial days, the Kings of England granted the rights to huge pieces of land in the new world to friends and relatives. Because of grants to the Plymouth Company and the Massachusetts Bay Colony, the State of Massachusetts claimed this territory. However, because a similar grant had been made to the Duke of York, after whom the State was named, New York also claimed



*Paul Busti — General Agent  
of the Holland Land Company.*

the western area. To complicate the situation, the United States Government had recognized the rights of the Iroquois to this same land.

In 1786, representatives of the State of Massachusetts and New York met in Hartford, Connecticut. Here, Massachusetts agreed to give up its claim and the Iroquois territory was recognized as part of New York. However, it was decided that if these lands were purchased from the Iroquois, Massachusetts would receive payment for them. After the Hartford Convention, a company organized by Phelps and Gorham contracted with Massachusetts for the rights to the land in Western New York. When they were not able to keep up the payments to the

State of Massachusetts, the right to purchase land was sold by Massachusetts to Robert Morris.

In 1791, Robert Morris — financier of the American Revolution — bought 3,000,000 acres of land in Western New York. Morris, who had large investments in Europe, was pressed by debts. So in 1793 he sold most of his holdings to a group of merchants in Holland.

Although five banking houses in Holland were involved, their interests were so closely related that they picked a single agent to manage their lands. This group became known as the Holland Land Company with headquarters in Philadelphia.

Before The Holland Land Company could begin to resell their land, the Indians title to it had to be transferred to them. A council was held at Big Tree in the summer of 1797 attended by the Iroquois sachems and their tribes; Morris; James Wadsworth, representing the Federal Government; and Joseph Ellicott on behalf of the Holland Land Company. The Seneca chief, Red Jacket, was difficult to deal with. It was necessary to give presents to influential women of the tribe and to make generous bribes to several chiefs in order to persuade the Indians to grant their land rights to the Holland Land Company. About 200,000 acres were set aside for reservations.

The way was now clear for a survey of the great tract of wilderness. Indian reservations as well as the mile-strip belonging to the State of New York, had to be marked out. The areas had to be divided into townships, six miles square. In all, fifteen ranges or tiers of townships were





*Stone Marker on Transit Line  
Now in Buffalo and Erie County Historical Society.*

marked out. The townships were divided into lots of 320 acres each. Where necessary, these lots were subdivided into 120 acre tracts. It was a trying task, even for the most courageous person.

Courage and devotion to duty were traits that marked Joseph Ellicott, the man who was selected to supervise this huge survey. Born into a family of surveyors, Joseph was trained by his elder brother, Andrew. He had assisted his brother in surveying the city of Washington soon after it had been picked as a site for the capital. In 1791, he was commissioned by the Secretary of War to run a boundary between Georgia and the Creek Indians. He then aided in surveying a great tract of land in northwestern Pennsylvania. In 1789, as an employee of the U. S. Government, he had determined the boundary between Pennsylvania and New York and set the location of Erie as being in Pennsylvania.

As well as being in charge of the survey, Joseph Ellicott was appointed agent in charge of land sales for the Holland Land Company in Western New York. He held this post until 1821.

Ellicott entered the woods in the spring of 1798 with about 150 men to begin the survey. With the aid of a movable transit that he and his younger brother had constructed, he began a very careful marking out of the boundaries. Often it was necessary to cut a path through the dense forests. Permanent stone markers were set in regular intervals along the boundaries of the Indian reservations and other large tracts. By the end of 1800 the main part of the survey was complete and the ranges and townships were marked out.

The year 1801 marked the beginning of land sales on the Holland Purchase. Ellicott's first land office was located in the tavern of Asa Ransom at Clarence Hollow. However, he soon moved to Batavia where

he set up a permanent office. During the next twenty-five years, as settlement spread to various parts of the Purchase, sub-agents were established in Chautauqua and Cattaraugus Counties and in the Village of Buffalo. Among these men were two who are prominently related to the growth of their areas, William Peacock in Mayville and Erastus Granger in Buffalo. But Batavia remained the main office.

The first recognized land deed in the Purchase was issued to William Johnson in 1804. Johnson had been given a tract of land on Buffalo Creek by the Senecas when he was the British Indian agent. This tract was included as Seneca land in the Holland Purchase and in return, Johnson was given deeds to lots in the newly-surveyed Village of Buffalo.

Ellicott possessed a wide understanding of frontier problems. A big man, well over six feet in height, he was industrious, careful, and orderly in his business dealings. He hoped to set up a reasonable plan for sales of land to the settlers. Realizing the poverty of many who chose to move West, he favored a system of credit that would give settlers ten or twelve years to pay.

The proprietors of the Holland Land Company, however, were far removed from the problems of frontier life. They directed that sales should be made on a four- or six-year contract. If a person chose the four-year contract, he was to pay one-third of the price down; if he chose the six-year contract, he was to pay one-fourth down. No doubt, Ellicott smiled as he read the instructions. He must have known that both the credit terms and the downpayment required would be impossible for most of the new settlers to meet.

Even before sales began, Ellicott received a letter from Paul Busti who was the general agent for the company in Philadelphia. This letter instructed Ellicott to lower the required downpayment to 15 percent for large-scale buyers and to 10 percent for purchasers of small lots. But experience soon proved that even this decrease was not enough. Many settlers arrived with little or no cash at all for the purchase of land. One pioneer, Richard Cary, who settled on Eighteen Mile Creek, arrived with just three cents in his pocket. He was two dollars in debt.

Pioneers who had money were concerned with the cost of settling and living through the first year on the frontier. Even these often refused to pay down the required amount. Within a few weeks after he had begun land sales, Ellicott knew that downpayments would have to be less if the company hoped to sell large amounts of land.

He sent a letter to Paul Busti, in Philadelphia, explaining the problem and suggesting a change. Settlers were being attracted by the easy terms offered by land agents in Canada and in other parts of Western New York. Land in Ontario was being sold for as low as 6 pence an acre while in Niagara County, the starting price was about \$2.75 an acre. Since few men with money were willing to leave the comforts of the East to





*Joseph Ellicott completing Survey in Buffalo, 1804. Depicted are Ellicott, William Johnson — at the present Exchange Street looking east from Main Street. Crow's Tavern at the right. Diorama in Buffalo and Erie County Historical Society.*

settle in a wilderness, most settlers were too poor to pay the required 10 percent.

Yet land was being sold. In some cases the local agent made a sale with the agreement that the buyer would meet his downpayment by doing some labor for the company. Some settlers helped open roads. Others aided in the construction of sawmills and gristmills. Settlers sometimes paid by making shingles for the company buildings. Many who seemed honest and industrious were allowed to make very small payments — a few as small as twenty-five cents. There is record of one early settler on the Ridge Road in Hartland who had only four dollars to pay down. After he had paid that sum, two dollars were returned because he had to journey back to the East. Another man, who settled in Chautauqua County, left his watch at the land office until he could earn enough money to pay down.

In many areas, Ellicott began a system of conditional sales. This permitted the newcomer to take a lot and begin improvements. Usually he was given six months to make some improvement and raise the downpayment. Then a land contract, which guaranteed the land to him after he had paid for it, was issued. The time limit set by the agreement was not always strictly enforced.

As with the demand for downpayment, the company's policy regarding the length of time required for payment proved unwise. A period of four or even six years was usually not enough time for the pioneer to raise the cash to fully pay for his land. Although the settler could, after the first year, raise enough crops to provide for his family, his chance of selling any surplus for cash was very slim. Since he was far removed from the markets of the eastern seaboard and transportation costs were high, there was little or no profit in shipping farm produce overland. Thus the pioneer farmer had to depend largely on the local market during the first few years of settlement. This was a poor market.





*"The Old Holland House" --- Office of the Holland Land Company, erected 1806, now Holland Purchase Museum, Batavia, New York.*

The situation began to improve after 1808 with the growth of trade across Lake Ontario to Montreal. Porter, Barton & Co. developed a transportation business to by-pass the Falls by the old Indian portage which eased the problem of shipping goods out of the Buffalo-to-Lewis-ton area. But this was little help to the earliest settlers nor to those who lived in the southern part of the Purchase. The marketing difficulties were not satisfactorily solved until the construction of the Erie Canal.

These practical considerations and the fact that land was being sold on longer credit terms and at a cheaper rate in other areas caused Ellicott to urge that credit be extended for a ten-year period. Busti agreed to this in 1803. By the end of the decade, Ellicott felt that things had improved enough to again shorten the credit period to six years. Busti questioned the wisdom of such a change, but finally agreed to an eight-year term. This became the general policy of the company for the remainder of its stay on the Purchase.

Fortunately, the agents of the Holland Land Company were aware of the hardships that the settler faced in making a home in the wilderness. But they were also wise enough to know that those who could, must be made to pay.

Legally, it was a simple matter for the Holland Land Company to take action against settlers who refused to keep up their payments. Most settlers were given land contracts by which the company agreed to deed the land when the buyers made the final payment. Title to the land remained with the company until then. A debtor who did not make payments could be put off his land without difficult legal action. However, such eviction was seldom used. From his Philadelphia office, Paul Busti instructed that the power to enforce payments should be used

with the "utmost caution and discretion." He urged suing to collect debts rather than moving a settler from his home.

Like other creditors on the frontier, the agents of the Holland Land Company tried taking produce in payment for debts. This helped the struggling settler turn his surplus crops into cash. During the season of 1806, Ellicott announced that grain would be received as payment for interest. About 450 bushels were collected during the 1806 and 1807 seasons. But the marketing problems soon forced Ellicott to give up the plan. Without roads or a canal it was too expensive to transport grain to Albany for sale.

Ellicott then tried to sell the grain to the incoming settlers who would need it for food and planting during the first season. But his hopes of getting cash this way also failed. Most of the newcomers were willing to buy only on credit. He tried to sell produce by personal notes but many of the settlers drifted on to other frontiers leaving their debts unpaid.

In spite of the disappointing results of this first experience, the company again agreed to take cattle and wheat during the hard times that accompanied the depression of 1819. Because many settlers preferred to sell their crops for cash, the company agreed to allow 15 percent above the market price when produce was received in payment of interest. This policy was followed until the Dutch began to withdraw from the Purchase in 1835.

In addition to supporting the new settlers by a generous interest policy, the Holland Land Company contributed several worthwhile public improvements to Western New York. In order to open up land for settlement, Ellicott undertook an extensive road building program. Roads, connecting Batavia with the older settlements to the east of Avon and Geneseo, were begun during the first season. Others fanned out to the west and north, linking Batavia with Buffalo, the Niagara River, and Lake Ontario. Work on these roads proved a boon to many settlers for the Holland agent paid \$40 per mile, two-thirds payable in land and one-third in cash.

Later the company made a generous donation in order to remove a sandbar which blocked the mouth of the harbor at Portland on Lake Erie. A sawmill and gristmill, so essential to the early settler, were constructed at the company's expense in Batavia. Generous loans were offered to encourage others to build similar mills at different places on the Purchase. Gifts of land were made to the first two blacksmiths in the area. A loan of \$3000 was made to aid in the establishment of the first general store at Batavia. Also, to provide resting places for travelers going west, the company offered free land at ten-mile intervals, along the roads as they were opened up, to anyone who would build an inn.



Many who sought new homes in the wilderness brought with them deep feelings for religion and education. In announcing the opening of sales, Ellicott had promised to donate land for both purposes. As settlers moved in and formed congregations, the company gave them a plot of land for their church. Ellicott also contributed money to aid in the construction of the church buildings. The usual gift was \$200 or \$300, but the company contributed \$1800 toward the Episcopal Church in Batavia. It was equally generous in aiding the construction of St. Paul's Church in Buffalo. To encourage the organization of schools, tracts of not over one-half acre were granted to a school district, although appeals for aid to build schoolhouses were turned down. The Company contributed \$2000 to a committee formed to aid those who had suffered losses during the British raid and burning of Buffalo in 1813.

Regardless of the help given to the settlers, the agents of the Holland Land Company frequently found themselves in trouble with those who lived on the Purchase. During the first ten years of settlement, difficulties arose because the company insisted on selling land on contract. The company favored this arrangement because it made it easy to put a tenant who failed to keep up his payments off his land. The settler, however, did not like it for it meant that he could not have title to the land until he had completely paid for it. Ownership carried with it a standing in the community which many were unwilling to delay while they worked to pay for it.

The company was forced, finally, to give in to the demand for deeds. The first step was taken in the summer of 1802, shortly after Genesee County was organized. By state law, many of the new county officers had to be landowners. Ellicott estimated that there were not more than thirty landowners in the entire county — not even enough to form grand juries. It was necessary for the company to grant deeds to anyone who would pay at least one-fourth of the purchase price of the land. Even this change was not enough to solve the problem. Within five years, there were not enough landowners in one township to fill the juries.

Even though the company had made substantial contributions to public improvements, there were people who thought it should do more. The company was often criticized for its failure to provide adequate roads. An Englishman, traveling through the Purchase in the early 1830's, described the sensation riding in a stagecoach over a corduroy road. "By holding fast, one could keep one's seat tolerably well, without much fear of dislocation," he declared.

Ellicott was satisfied with a minimum effort. He did little to improve the original roads even though some were impassible during the spring and fall. Along many of these roads the company owned most of the





*Ellicott Mansion — Batavia, New York, built 1822.*

lots. According to the state law, the land of non-residents was not subject to road tax. No wonder that the residents complained and requested the legislature to tax these lands.

Another reason for local irritation with the Holland Land Company developed over the Buffalo harbor project. There was a sandbar across the mouth of Buffalo Creek. When the Erie Canal was started, it seemed probable that unless it could be cleared from the harbor, the canal would end at Black Rock. In 1818, a group of leading Buffalo citizens asked the state legislature for financial aid to improve the harbor. The legislature ordered a survey. This commission reported that a breakwater could be built for about \$12,000. The legislature offered a loan for the work, with the condition that it would be a gift only if the Erie Canal ended in Buffalo.

A group of citizens turned to the Holland Land Company, asking that they give a partial guarantee against loss if the state should demand repayment. The company refused on the grounds that the harbor improvement was backed by a private group of citizens rather than by public authorities. The project went ahead without company support and the state eventually paid for the work. But this incident became a reason for bitter feelings toward the company.

Although there had been minor criticisms of the company since the beginning of settlement, the first general attack came in the fall of 1819. Late in September a series of articles, signed by *Agricola*, began to appear in the *Niagara Journal*. The author charged that the company was asking too much for its lands. It said the company had not done its share in contributing to community projects. Furthermore, the article charged that the Holland Land Company was draining the area of cash by sending all of its collections out of the country to Hol-

land. In renewing contracts, the company was accused of increasing the principal of debts. The author recommended that the legislature be asked to tax company lands so highways could be maintained and schools built.

A meeting of residents of Niagara County was called to draw up such a petition. They met in Cook's Inn on October 28, where a petition was written asking the legislature to tax lands of non-residents for the maintaining of roads and building of schools. This petition was sent around the Purchase, and some 1300 settlers signed it. In Albany, the petition was given to a committee of the assembly headed by Oliver Forward, who had presided over the meeting at Cook's Inn. A law to tax the company lands was introduced in the assembly and passed, but it was not taken up in the New York State Senate.

What was behind these criticisms of the company? No doubt, the serious economic distress which went along with the depression of 1819 was partly responsible for the complaints. With wheat selling for as little as twenty-five cents a bushel, it was difficult for settlers to make interest payments on their land contracts. Furthermore there were those who disliked Joseph Ellicott and tried to hurt him by attacking the company.

Among the leaders at the meeting at Cook's Inn were Augustus Porter and Benjamin Barton, who early in the settling period had a transportation monopoly around Niagara Falls. In 1811, Ellicott had been successful in preventing a renewal of this monopoly being granted. His influence in Albany and position as virtual political boss on the Purchase turned others against him. The critics picked a popular grievance to emphasize. It irritated practically every settler on the Purchase that the company owned large areas of land which were tax-free, while roads and schools needed improvement.

The land tax bill had received little support in the senate. This, however, did not mean an end to Ellicott's troubles. His enemies began to attack him directly and urged that he be replaced by Samuel M. Hopkins, a man who had developed land on the Genesee River. Samuel Wilkeson, a leader in the plan to develop Buffalo harbor, circulated a petition that denounced Ellicott as one who was hated by the settlers and who interfered in politics. Busti, the general agent, received letters from leading officials and from the Governor of New York State, praising Mr. Hopkins.

There were also personal differences existing between Ellicott and Busti. More than once, Ellicott had failed to carry out instructions sent from Philadelphia. Thus, with the defeat of the land tax bill, Ellicott was asked to resign. Not wishing to become involved in local political quarrels, Busti did not side with local suggestions for his successor. He picked Jacob S. Otto, a Philadelphia businessman. The



change in agents and the revival of the system of taking produce in payment of interest, brought a calm to the Purchase for the next several years.

During this period, Otto decided to tighten the system of collecting debts. He was sure that Ellicott had been too easy on the settlers and that most debtors could pay something. While there may have been truth in Otto's belief, his policy of bringing suits against many of the debtors was hardly the way to improve the situation.

Reaction came quickly under the leadership of Benjamin Barton and Peter B. Porter, Ellicott's old enemies. Protest meetings were held in Lockport in January 1827 and in Buffalo early in February. Again, petitions were adopted urging the company to lower the price of land, to reduce the debts of those who were willing to pay a portion. Again a demand was made for a highway tax on company lands. The meetings ended after forming an association called The Agrarian Convention of the Holland Purchase.

The petitions were sent to Albany where a bill to tax land of non-residents quickly passed in the assembly. It was defeated in the senate, due to the influence of the absentee landowners. The victory was short lived. The measure was brought up again in the autumn and passed both houses of the legislature before its opponents could move against it.

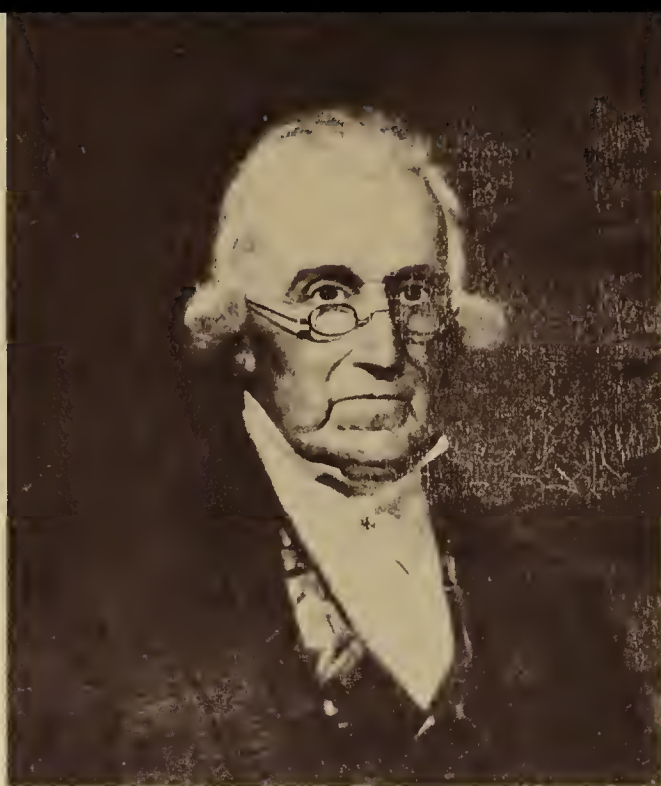
Paul Busti had been in Albany during the debates on the tax bill. He had learned much about the thoughts of the settlers from persons from the western part of the state. The collection reports he had received for 1826 were hardly encouraging. Out of a total debt of six million dollars, the company had collected only about one-fiftieth. Conversations in Albany convinced him that collections would pick up only if the burden of debt were lightened.

A plan was worked out with David E. Evans, who had replaced the deceased Jacob Otto. All settlers were given one year to renew old contracts. The principal was reduced on these contracts if the tenant paid one-eighth of the new price. The company agreed to set aside more money for improving and opening roads, the work to be done by the settlers and payment applied to their debts.

The new plan was greeted with joy by the settlers. Crowds gathered at the land offices to have their contracts changed. Within a year, nearly \$300,000 had been collected. Many farmers were planting more wheat so that they could keep up their payments.

But what of those who failed to take advantage of the new plan? William Peacock, subagent in Chautauqua County, reported that there were settlers who refused the new offer in the belief that the Holland Company would not dare to try to take their land. No doubt Evans should have singled out a few people and begun eviction proceedings soon after the one-year time limit had passed. Instead, he issued notices,





*William Peacock of Mayville, New York.*

each of which lengthened the time limit.

In the meantime, enemies of the Holland Land Company were still at work. On February 4, 1830, the village of Buffalo was strewn with handbills announcing a public meeting to question the company's title to their lands in Western New York. This line of attack proved unsuccessful. A second meeting held early in March aroused a more serious threat to the company. Instead of stressing the question of the company's land title, resolutions were passed urging the legislature to tax the debts due to non-residents for lands in the state. This would have put pressure not only on the Holland Land Company but on the Pulteney Estate to the east.

For the moment the landlords were able to delay action in the legislature. During the 1833 session, however, a law was passed to tax the debts due to foreign landowners. Both the Holland and Pulteney interests had worked against it, but they had been defeated.

The new law made it necessary for the company to reduce the amount of debts owed them as soon as possible. Collections would have to be stepped up. In the fall of 1833, Evans sent out notices warning that unless back interest were paid by January 1, the contracts would end and the land would be taken back by the company. By the end of the year, more than 3,000 settlers had paid up their back interest; Evans had sent over \$250,000 to Philadelphia. In addition, new contracts and mortgages required that the settler pay the tax on the debt.

A wave of objection quickly spread through the Purchase. Public meetings were held to protest the new company policy. Resolutions were framed by various groups. One gathering declared, "That we cherish the spirit which actuated our fathers in the achievement of our Independence, and we like them will revolt from the payment of taxes which ought to be paid by a Holland Corporation, . . ."

From Jamestown came a call for a general meeting to be held at

Buffalo. Delegates from all over the Purchase hurried to Buffalo by horseback and sleigh on February 19, 1834. The company was loudly condemned for giving up its earlier lenient policy. A resolution was passed to make no further payments until they changed the new policy. It was further agreed that those assembled would come to the assistance of any settler who might be put off his land by the company. The meeting concluded with an attack by Thomas Sherwood on the company's title to the land.

Sherwood's speech served to increase opposition by the settlers in various parts of the Purchase. At least one newspaper urged the settlers to make no further payments, saying that the Dutch never had title to the land. The company met opposition with force. Agents singled out the most noisy and better-known debtors and began eviction suits. By agreement with the leaders of the Agrarian Convention, five of these were selected to test the company title. These suits were tried in the United States District Court in Albany in 1835. The result was a complete victory for the company. With its title now secured by legal judgement, the Holland Land Company vigorously pushed suits to put debtors off their land. This was necessary to impress the public that the company meant business and also to discredit the leaders of the Agrarian Convention. Most of the other suits were settled without trial.

In the meantime, the Holland Land Company agents had been busy looking for purchasers for their lands and debts owed to them. Shortly after the legislature passed the law to tax company debts, they began dealings with the New York Life Insurance and Trust Company. By the summer of 1835, the land and debts in three of the most troublesome townships had been sold to this organization. By the end of the year, a large portion of the remaining land and debts had been sold to three other groups of businessmen. The balance was sold in December 1836.

As word spread throughout the Purchase that the company was selling out, it was received by the settlers with great concern. Many were quick to realize that they had received fairly lenient treatment from the Holland Company agents. Petitions poured into the Batavia land office praying the company not to sell. William Peacock wrote that the settlers were rushing to the land office to secure deeds for their lands. It was clear that many feared the terms of the new owners might be more severe.

It was soon clear that they had good reason for their fears. Jacob LeRoy and Herman Redfield, agents for the Farmers Loan and Trust Company — which had purchased the Holland lands and debts in Orleans, Niagara, Genesee, and Erie Counties — soon announced terms for renewing contracts which had run out. In every case, the old principal was to be increased from \$1 to \$3 per acre upon cash payment



of one-eighth of the new principal. The balance was to be paid in ten yearly installments. These terms, called the Genesee Tariff, at once became the subject of heated discussion.

There was even greater concern in Chautauqua County, where the Holland interests had been bought by Trumbull Cary and George Lay of Batavia. The new owners at once notified Peacock to suspend all renewals and sales. A wave of fear swept through the area. Full of tension, the settlers from the surrounding areas gathered at Mayville for a great public meeting early in January 1836. Grim farmers filled the new court house as they sought to save themselves and their neighbors from the terror of heavier terms. After hearing the report from a committee which had conferred with Cary and Lay, a group was appointed to visit Peacock and report on the new terms.

The anger of the crowd mounted when the committee returned. They reported that the principal of the contract was to be increased from \$1 to \$2.50 per acre. These renewals would be granted only upon cash payment of one-fourth of the new principal, the balance payable in five years. Resolutions were passed urging the settlers to refuse to accept new terms.

Immediately after the Mayville gathering, it seemed that things had become quiet, although there were threats of violence against Peacock. However, it was only the calm before the storm. One night early in February, a mob of about 300 men, armed with guns, rifles, and clubs attacked and completely destroyed the land office at Mayville. Agent Peacock gathered up what records he could carry and fled. There could be no doubt now that the aroused settlers were serious in their opposition to the new owners.

News of the Mayville attack swept through the Purchase. In some parts of Chautauqua County, balls were held to celebrate. In other places meetings expressed approval of the attack. As the news spread, it stirred resentment against the Genesee Tariff. In many villages business stopped, as the people gathered at the local taverns, often threatening every kind of violence. Evans was so alarmed that he moved all the company papers from the Batavia office to Rochester. It was clear that all the settlers were determined to pay not a cent more than they had agreed to in their contracts with the Holland Land Company. At a general convention held in Buffalo on March 30 the Genesee Tariff was again branded as unjust. The meeting adjourned after agreeing to aid any who might be attacked by the company.

It did not take long for the agrarian group to find an evicted settler to aid. One of those who had been ejected by the Holland Land Company was a settler named Lock, who lived near Varysburg. Shortly after the Albany trial, the company took possession of Lock's farm and sold it to Horace Patterson. A few days after the Buffalo meeting, a





*Typical early settler's home on the Holland Land Purchase.*

group decided to put Lock back on the land. A force of sixty armed men went to the farm and ordered Patterson to leave. When he refused, preparations were made to ride him off on a rail. Although no physical harm was done to Patterson, his cattle were turned loose and his goods were thrown into the road. Lock was once more in possession of his farm.

Evans secured a court order against Lock. It was up to Sheriff Nathan Townsend to arrest Lock and put Patterson back on the land. Lock was found and arrested, but it was necessary for the sheriff and his posse to stay overnight at Varysburg. During the night a mob approached the tavern where Townsend and his group were lodged. They intended to rescue the unhappy Lock. The sheriff made it clear that he would stop any attempt to free Lock, and the mob withdrew. Lock was moved safely to the Batavia jail.

Failure to place Lock back on his farm caused resentment. Early in May, the agent at Ellicottville sent word to Evans that a force was gathering to attack the land office in Batavia. On the night of May 13, Evans and his three assistants decided to remain at the land office in case trouble developed. About midnight came a violent knock at the door. A stranger rushed into the office. Breathlessly he told of a crowd of about 160 armed men gathering between Attica and Alexander. At once, Evans sent two of his assistants to warn the village. In a few minutes the village bells began to ring and the streets filled with armed men. Further reports came from Alexander, telling of nearly 700 men assembled there to March on Batavia.

When the mob finally arrived, they were greeted by General Verplanck. He warned them that if they destroyed any public or private property they would be fired upon. Their enthusiasm dampened, the crowd demanded a conference with Evans. He refused to treat with an armed mob. As they moved slowly toward the land office, the courage of many seemed to diminish. Only about sixty were armed with muskets, a half dozen with crowbars and sledge hammers, the rest



with nothing. They were no match for the defenders. As they stopped to consider their next move, Sheriff Townsend appeared with 120 armed men. A warning from the sheriff was enough to turn the mob back.

The attack on the Batavia land office was the last serious dispute between land companies and settlers in Western New York. LeRoy and Redfield had already eased their terms for renewing contracts and selling land. Shortly after the attack on the land office in Mayville, Cary and Lay announced better terms, also. Most of the debtors accepted the new terms and began to make their payments. By the end of 1838, those who had purchased lands and debts from the Holland Company had completed their payments. The turbulent days were past and the company's accounts in Western New York were closed.

The experience of the Holland Land Company was not unlike that of other great land sellers in the American West. The poverty of the early settlers and the inadequate markets made a lenient policy a necessity during the settling period. Unfortunately failure to make payments became a habit, and in the minds of some settlers, even a right. When the company tried to employ a stricter policy, there was widespread discontent. Generally, in the face of an aroused public, the company was forced down.

It is true that the settlers suffered minor setbacks. Gradually they gained the major victories. Company agents always felt it necessary to make policies that would be acceptable to the settlers. When they misjudged what the local people would accept, the agents were soon aware of it and were forced to change plans. Thus it was that true democracy, rule by the will of the people, came to Western New York, in a much broader sense than a mere political democracy.

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#### BIBLIOGRAPHY.

Bigelow, Timothy. *Journal of a Tour to Niagara Falls in the Year 1805*. Boston, 1876.

Bingham, Robert W. *The Cradle of the Queen City*. Buffalo, 1931. Buffalo Historical Society Publications Vol. 31.

Evans, Paul Demund. *The Holland Land Company*. New York 1924. Buffalo Historiccal Society Publications Vol. 28

Hall, Basil. *Travels in North America in the Years 1827 and 1828*. Edinburgh and London, 1829.

Johnson, Crisfield. *Centennial History of Erie County, New York*. Buffalo, 1876.

Turner, Orsamus. *Pioneer History of the Holland Purchase of Western New York*. Buffalo, 1849.

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MAP

of  
Holland's Purchase

or  
West Ontario

In the State of New York:

Exhibiting

A Part of the LAKES ERIE and ONTARIO, the  
Straight of NIAGARA, CHAUTAUQUE LAKE,  
and all the principal Tracts, the Boundary  
Lines of the several Towns of Land purchased

by the  
Holland Land Company  
William and John Wills  
and others.

Boundary Lines of Townships:  
Boundary Lines of New York and  
Ontario Reservations:

Laid down from actual Survey:

Also

A Sketch of part of Upper Canada -

by  
Joseph & B. B. Elliott

1800.

TO THE

Holland Land Company

their General Agents

Stephen Cassano & Paul B. B. Elliott

THIS MAP

Is especially intended:

by the

AUTHORS.

1804

REVISED 1881

EXPLANATION

Boundary line of Tracts & Towns  
D. Townships Tracts & Towns  
E. Reservations & Tracts  
Wagon Road  
Indian Path  
Indian Village

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